

PRISON REFORM.

How Perjury Becomes an Art in Murder Trials.

THREE SPECIMENS OF VAMPIRES.

Prejudice Against Juror Who Saved My Neck—States Statement of Case, the Exclusion of Motive for Crime and Rulings of Trial Judge—The Infamous Charge of Shooting from a Woman's Shoulder and Time Allowed Attorneys.

PART II.

TWENTIETH PAPER.

(The writer of the following was sentenced to life imprisonment in the Ohio Penitentiary for fighting a street duel in which the defendant's family was killed. Pardoned after eight years imprisonment, he proposes in the columns of the Globe to tell "a plain, unvarnished tale" of life in a modern penitentiary.—EDITH.)

As in all murder trials, the State opened the case to the jury, outlining what it proposed to prove in establishing its charge of murder in the first degree. Among other things upon which the prosecutor laid stress was the allegation that I fired the first shot, thus cutting the ground from under the defense in its proposed plea of self-defense, or at least anticipating and weakening such a plea, if offered. The defense replied in an opening statement by Hon. Geo. L. Converse of great force and old-time ability, but its delivery left the State in doubt as to our line of defense. It would be tedious, and is not the aim of these papers to give even a synopsis of the testimony adduced in the trial. Every inch of ground was fought over a dozen times and more; the defense was ruled against in every instance, and even the article in the Sunday World causing the tragedy was ruled out by Judge Pugh. Time and time again during the progress of the trial, my counsel, under one pretext or another, tried to get this article to the jury, but each time it was offered the prosecution promptly objected and the objection was sustained by the trial judge. Thus the motive for the crime charged was excluded from the jury, and the State ingeniously supplied one, viz: That I was jealous of the rivalry of the Sunday World and feared the disclosures of Osborne in that paper, which he had threatened to make concerning the inner workings, or the manner and methods of conducting the Sunday Capital under my management. Of course, this was buncombe, as Osborne had been for six months engaged in nothing else but abuse of the Capital and its editor, myself, leaving nothing unsaid and repeating what he had already written over and over again. In all his charges there was nothing more serious alleged, much less established, than the main accusation that I had no principles or convictions politically other than a high tariff and the Grand Army of the Republic. That I was not a Democrat, as my paper pretended; neither was I a Republican nor anything else but a tariff fiend and a G. A. R. crank.

I have forgotten to mention one incident in connection with the jury, or rather its completion. It will be remembered that I stated the defense had one peremptory challenge left. This my counsel was about to exercise when I asked for a conference in the consulting room. We retired to the room and I asked that a juror named Aubert, who had qualified, be challenged and stricken off the panel. My counsel asked me if I had any special reason, as they had determined to strike off or challenge the juror by perjury in testifying to the fact that he had no opinion, knew nothing about the case, had not read the newspapers, etc. I objected to Aubert simply because of his actions while in the box. He had qualified a few weeks previously, and I daily noticed his conduct. Whenever I looked in his direction I found his large, black and bushy eyebrows bent in a frown over a pair of piercing and hostile black eyes fixed in intensity of stare on my person. I was satisfied of his hostility and wanted him challenged out of the box. This Aubert was a school teacher, and about the only educated man in the box, the other eleven, with the exception of the foreman, could barely read and write. They were farmers from the back townships, and an ideal hanging jury for the State. After much wrangling with my counsel, I consented to let Aubert remain, as less dangerous than the A. P. A. individual, who had sworn right and left to get on the panel.

Fortunate indeed was it for me, as this juror Aubert has made possible the writing of these papers and postponed my translation to the other world. He alone voted me not guilty and held the jury six days before he would consent to a compromise verdict of murder in the second degree, thus saving my neck. For this he paid dearly, however, as the press of Columbus hounded him from the city, and the unfortunate man had to give up his school and leave the State, settling in a distant State on the Pacific slope.

The trial dragged its slow length along, day after day, witness succeeding witness in picturesque perjury, until all semblance to the real facts had vanished and were forgotten. As an instance of this, the State placed in the witness chair the young street walker over whose shoulder it was alleged I fired at Osborne, holding her firmly as a shield, and that Osborne was too chivalrous to return the fire for fear of hitting her. Will it be believed that notwithstanding the physician on the passing street car, who was hit by Osborne's bullet which tipped my ear, and who was present and lame for life, limped into court on crutches as an evidence that Osborne did fire, that the State persisted in giving countenance to this infamous canard until its own witnesses disproved the story! The young street walker, Blanche Wilson, testified that I rested my hand on her shoulder with my back to hers—that I backed in

against her—and fired in that position. She gave an exhibition on the witness-stand of how it happened, using one of the attorneys for the figure of myself. When shown a photograph of the street, where she had paraded up and down for years, and every store in the block as well known to her as her own domicile, she selected as the scene of the shooting a store half a block distant from the scene of the shooting. The States' main witnesses—the ones who swore I fired the first shot, and whose testimony convicted me—testified, to the number of about 100, and with the exception of three well-known disreputable perjurers that at no time during the battle between Osborne and myself was either man or woman between us. When the State dropped the development of this line of prosecution, I insisted on my counsel asking every State witness the categorical question: "Did the defendant hold or rest his hand on a woman's shoulder at any time during the shooting with Osborne?"

The invariable answer was "no." The three exceptions were a degraded and shyster attorney named James Miles, an assistant constable named Gus Johns, and a sanitary officer who was an uncle of the Cook brothers, news agents for the Dispatch and Sunday Enquirer, of Cincinnati. Taking these three men up, and their motives, I commence with Miles. This disreputable shyster visited me in the cell at the station-house and suggested the manufacture of a defense by the subornation of perjury, which he would manage. I declined in no uncertain terms. He claimed on the stand that he had been in the saloon when the firing commenced, and rushing out, he saw me firing over a young girl's shoulder as he broke for cover behind the saloon sign, where he watched the progress of the battle. Miles was the seventh witness who testified to hiding behind this sign, which, when measured, was shown to be incapable of hiding or shielding but one person. Gus Johns, a notoriously infamous character, whom my paper had scored for evicting a widow and her children in the snow, causing the death of the youngest child, and whose vile reputation as an evictor was such that he was avoided as a leper by even his fellow constables, testified that he saw the battle and that I held the young girl around the shoulders in front of me while I fired at Osborne. He said he was so scared that after the battle he drank seven glasses of whiskey to steady his nerves. The reporter for the Press-Post of Columbus was put on the stand and impeached Johns. This reporter testified that he rode on a street car with Johns and conversed with him, and that the battle was over fifteen minutes before they arrived on the scene! But this impeachment was not as extraordinary even as that of the uncle of the Cook brothers. This old reprobate was animated with the family motive of helping his nephews. The Sunday Enquirer was the only selling rival of the Sunday Capital. The latter had reduced the sales of the Sunday Enquirer 2,300 copies in Columbus and thereby depleted the Cooks' profits to that amount. It occurred to the uncle that it would be a fine stroke of business to hang the Capital's editor, bust his paper, and then the nephews would have the town to themselves. One of the peculiarities of this old fellow was in picking up cigar stumps on the street, drying them out and re-chewing them, or smoking them in his pipe. He would accidentally drop his handkerchief in walking along the sidewalk, but always over a cigar stump. When he picked up the handkerchief he gathered in the stump or cigar butt.

This old perjurer, whose hair was as white as his soul was black, testified that he saw the whole fight, and the woman incident. The firm employing him in his spare hours to solicit insurance voluntarily came forward and testified that he was in their office at the time of the shooting, and that when a member of the firm came rushing in to tell the news, this old wretch inquired about the particulars, and did not leave the office for half an hour after the battle was over!

Were these three perjurers supporting the street walker punished? Not much. Judge Pugh grinned and made one of his cheap jokes, which the newspapers commendably published, and that was the end of it. And yet, this single circumstance of holding a young girl, or resting my hand on her shoulder while firing, did more to prejudice the public mind than any other circumstance of the "tragedy," in the early phases of the shooting and following my arrest. Charley Grosvenor's brother-in-law, W. W. Bond, was the author of the affair. I caught him stealing while he was public printer of Ohio and exposed the theft. This is how he got even by trumping up a mean and pitiful fabrication as easily disproved, when brought to the test, as his cowardly sneaking and thieving career as official and citizen.

Two hundred and twenty-five witnesses for the State and defense testified, and but the three named saw me rest my hand on a woman's shoulder, or use her as a shield. And thus I leave this phase of the case.

The two salient points in the trial were: Who fired the first shot, and the introduction of the article which caused the "tragedy." The State established, by a preponderance of testimony, such as it was, that Osborne and I drew at the same time, but that my pistol first exploded. The defense contended that both shots—Osborne's and mine—were simultaneous.

The State won in excluding the World article from the jury, and after almost two months closed its case. The defense took a little over three weeks to introduce its testimony, and the case was ready for the final arguments of counsel in the latter part of July. By agreement of counsel, each attorney for the State and defense was allowed four hours for summing up, and as the State had five and the defense five able-bodied attorneys, the prospect ahead for mind and oratory interested even the school children of Columbus.

And at this crucial period of my fortunes, an event occurred which stupefied my friends and almost completely demoralized my whole case.

(To be continued.)

TOO MUCH GOVERNED.

The Elaborate System Across the Border.

CANADIANS KICKING.

Who Were Want to Criticise the United States System of Government and Multiplicity of Officials, Spoils, etc.—Their Recent Census Opens Their Eyes to an Absurdity.

The Canadians, who, sometimes, in their large philanthropy, extend pity to this misgoverned republic, and who never fail to contrast, to their own intense satisfaction, the economical administration of Dominion affairs, are now up in arms owing to the publication of extracts from their recent census tending to show the number, variety and expensive character of their rulers. There is a loud call, The Globe perceives, by its Canadian exchanges, for a change of the representation from the provinces in the Federal House as a cure for the disproportionate legislative machinery.

If the representation of the provinces in the federal house is to be altered, how about the province legislatures and councils? Canada is a very much governed country and provinces with a population less than some large towns across the line are endowed with a system of administration more suited to the requirements of great and populous States.

Little Prince Edward Island is found to contain a population of only 103,258 souls, less than half that of Toronto. It has a lieutenant governor, who is furnished with an aide-de-camp and private secretary, an executive council and legislature.

The executive council consists of a premier and attorney general, a provincial secretary-treasurer and commissioner of public lands, a commissioner of public works, five members of the executive without portfolio, and an establishment of clerks.

The deputy heads and chief officers of the civil service include an assistant provincial secretary-treasurer and clerk of executive council, a provincial auditor, a secretary of public works, and a chief superintendent of education, with, of course, a full clerical force. The legislature consists of 30 members.

The costly provincial machinery is paid for out of a subsidy from the federal treasury under the British North America act, but the province has for years claimed in addition a sum of not less than \$5,000,000 damages for failure to provide efficient steam communication between the island and mainland for the year 1873, provided for under the act.

British Columbia, with an estimated population, as returned by the census bulletins just published, of only 190,000, has a similarly and proportionately extensive and costly administrative equipment.

So has Manitoba, with a population of 246,464; New Brunswick, with a population of 331,093, and Nova Scotia, with a population of 459,116.

The northwest territories, estimated population 145,000, have a lieutenant governor, an executive committee of four members, and a legislative assembly of 23 members. Thus, out of the entire population of Canada, five provinces and the organized territories with fewer than a million and a half souls (1,474,931) are provided with the elaborate machinery of six separate governments, each with a lieutenant governor at its head.

Ontario, with a population of 2,167,978, and Quebec, with a population of 1,620,974, and the unorganized territories, with an estimated population of 75,000, complete the total population of the Dominion—5,338,883.

AGUINALDO'S WIFE

Said to Have Prevented a General Massacre in Manila.

Miss L. M. Owen, a member of the American Association for the Advancement of Science, was in Manila in May, 1900, and says that Manila would have been captured and burned and the inhabitants massacred if it had not been for the bravery of one woman—the wife of Aguinaldo.

"There was a well-planned scheme a year ago last May for a general uprising of the natives in Manila," she says. "The plan was to set fires in various parts of the suburbs, which would divert the attention of the guards, and while they were busy extinguishing these fires in outlying sections the insurgents were to storm the city. Orders had been given for a wholesale massacre of men, women and children. Any this was prevented by the loyalty and devotion of Aguinaldo's wife, who, at the risk of her life, betrayed the plans to the officers in the city. She had some time previously been taken prisoner and, much to her surprise, was very kindly treated. The time came when she could repay it a thousandfold, and she did it, though discovery meant death to her. The plot naturally was discussed in her presence and she gave full information to the army officers, thus preventing the most horrible massacre of modern times.

"The facts have been well known in army circles, but have been kept sacredly secret on account of the danger to Mrs. Aguinaldo in case the insurgents discovered them."

ON HER HEAD.

A Fortune on a Mexican Woman's Head.

PROCLAIMS HER ANCESTRY.

The Crown Worn by a Luechi Chief of the 14th Century Found in a Cache Containing Treasures Estimated at Half a Million Dollars. Near Chama in Guatemala—Rare Jewels and Idols of Hideous Designs and Filigree Work.

A dispatch from the City of Mexico tells of the discovery, near Chama, Guatemala, of a cache containing curios and treasure estimated at \$500,000 in value. One of the rare articles found is a crown worn by a Quechchi chief in the 14th century, the date being fixed by the medallions and coins forming part of the head-dress.

Rare jewels, idols of hideous designs and filigree work, wholly different from any specimens now displayed in Guatemala were included in the find, according to the Official Journal of the state of Jalisco, which first published the facts.

Edwin Kurtz, a recent traveler in the Alte Verapaz district of Guatemala relates stories of adventure and discovery in that country which give color to the reported find near Chama. The statements of Mr. Kurtz and letters from Leon J. Dutton, of Melrose, now exploring the country, anticipate further fabulous discoveries and promise of wealth of adventure to the Philadelphians who are now preparing to make a four months' tour of the country immediately after the close of the rainy season, which is now at its height.

A letter from Mr. Dutton says, "San Geromimo is now the mecca of all the restless spirits in the country. On May 28th hundreds of natives, each the son of a king, or of a king's son, assembled on the great plaza in front of the palace of the alcade and held festival there throughout the week following. I never saw such a ceremony. Scores of cock fights entertained the crowd.

"The women, of whom there were thousands present, brought cerandes worth fortunes and sold them for a song or traded them for trinkets worth little or nothing. These jars and vases are the real thing, differing in that respect from those made by the Chinoulta natives, who turn out antiques (?) by the hundred every month.

"Some of the pieces displayed and sold at San Geromimo were dug up by the women while working on the plantations at Chama. I have seen pots of hideous design turned up by these women, and when opened I have known them to contain carved images, rare jewels and coins centuries old.

"The Quechchi woman will sell or trade anything she has or can get except coins or precious stones, both of which are retained to decorate her headdress. The natives can be identified as to ancestry and habitat by their headdress, and I have seen dozens of these curious decorations with an intrinsic value exceeding \$20,000.

"The headdress of the Quechchi Indian is primarily a long scarf, some being two or three yards in length. Hieroglyphics are worked into this fabric in all shades of color, and each figure has a significance known to all members of the tribe. The head pieces of the living are oftentimes monuments to the dead, and nothing is too valuable to form a part of this all-important article of dress.

"In the days of the Aztecs, according to local lore, family fortunes were spent upon a single crown designed for a Quechchi king."

WHAT A SWITCHMAN DOES,

While Not Often Praised in Print, His Work is Responsible.

A railroad switchman is often in peril of his life. The poetry of motion surrounds with a halo those who move. The stage driver and the locomotive engineer have a local following and are worshipped from afar by a host of admirers. It is the engineer who gets the credit for the fast runs, not the fireman who keeps the engine in steam, or the mechanical engineer whose brain devised the improvements in the machine. The master mechanic and the roundhouse foreman, whose careful attention and good discipline keep the engine in order, receive only a negative amount of credit; if anything goes wrong they hear of it. The fireman comes in for some of the glamour and glory, for, like the conductor and brakeman, he "runs on the road." The men who "switch in the yard" are also among the elect, for their vocation brings them constantly in the face of death.

A "switchman" to the rank and file is not the "switch tender," who merely "throws switches" for approaching trains. A "switchman" throws switches, but not in any fixed location, and more distinctly he "cuts 'em off" (uncouples cars), "goes after 'em" (sets brakes) and "ties 'em together" (couples cars). He is as artful a dodger of flying cars as is his "pony" (switch engine) of seemingly innumerable trains.

The head switchman is carried on the pay-rolls as a "yard conductor," but the men cling to the old appellation of "foreman" or "pony conductor." His assistants, to whom his word is law, are officially designated "yard brakemen," an appropriate title, which has failed thus far to supplant the good old-fashioned term "helpers."

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